

The Border Widette.

Vol. 7.

NOGALES, ARIZONA, JULY 1, 1899.

No. 26

AT LONG LAST

Allen T. Bird of the Oasis, Runs Amuck.

Attempts to Blacken a Young Man's Character and Receives a Good Thrashing.

"A HOT NUMBER, GOING FAST"

District Attorney W P Harlow Asks the Court to Prevent Laughter.

Judge Eb Williams Appears for the Defense—The Ullmann Boys Give \$2000 Bonds for their Appearance Before the Grand Jury

"That this clerk allowed the custom house janitor to enter the car and inspect the letters leaving Nogales. This has created quite a sensation, and people are wondering 'where they are at' if their private letters must be inspected by the 'push' or abstracted from the mails. This last method of procedure has been adopted in several instances by the crooked crowd who are making so much trouble in Nogales."—The Eagle.

Sunday morning a street fight occurred on Morley avenue between Allen T. Bird and Abraham Ullmann. Bird raised a cane he was carrying with the apparent intention of striking the boy, when Enrique, a brother of Abraham, arrived on the scene and took the cane away from Bird and broke it over his shoulders.

In the fight Bird received a black eye and two cuts over the eye which bled freely.

Mr. Bird went to a saloon to get "fixed" and Officer Al White and Deputy Officer Walter N. McCurdy placed the boys under arrest and took them before Justice Joe Taylor, where they were charged by Deputy Officer Walter N. McCurdy with assault with a deadly weapon. The charge did not say who or what had been assaulted, but the judge evidently knew for he so ordered that the boys give a bond of \$1,000 each for their appearance before him Monday afternoon at 2:30. About two minutes after the bond was asked it was given and the boys were again at liberty. Had the judge placed the bond for the appearance of those two boys at nine-tenths the valuation of Santa Cruz county the boys would not have gone to jail.

Monday afternoon the case came to trial before Justice Jos. Taylor in the district court room. At an early hour the court room began to fill and when the court took his seat he had a large and interested audience.

W. P. Harlow appeared for the prosecution and Judge Eb. Williams was present for the defendants.

Judge Taylor opened the ball by calling on officer White to "search the audience for firearms and exempt no one, except officers of the court." Officer White immediately started on a "still hunt." He found one gun. It was worn by an officer of the peace. He swore a silent but awful oath he would not submit to be disarmed but was willing to leave the court room. He left.

The charge against the two Ullmann boys which had been made the day before by Deputy Officer Walter N. McCurdy was then read but it failed to state who had been assaulted. Judge Williams wanted to know who had been assaulted, and W. P. Harlow, attorney for the prosecution said we are ready for amendments and called Deputy Officer Walter N. McCurdy who made the statement that one Allen T. Bird had been assaulted. The amendment was made and the machinery of the law again was put in motion by the court calling the first witness, A. T. Bird, for the prosecution. Witness Bird could not be found.

Runners were sent out to find Bird,

and Mr. J. T. Brickwood was called. Prosecution.—You live in Nogales? Witness.—Yes, sir. Q.—Were you here yesterday? A.—Yes, sir. Q.—Did you see the fight between Mr. A. T. Bird and two other men? A.—Yes, sir. Q.—Where did the fight take place? A.—On the street in front of Gates' saloon.

Q.—Will you state to the court what you saw.

A.—Well, I was standing at Frank's boot-black stand talking when I was told there was a fight going on. I saw two Mexicans and a white man. I recognized the two Ullmann boys and Mr. Bird. They had evidently, at the time I saw them, finished fighting. The blood was running from Bird's face. One of the boys had stopped awhile and the other kept on fighting. Shortly after the blows ceased.

Q.—Did you see any deadly weapons used at this time?

A.—When I saw the cane it was in the hands of one of the boys.

Q.—Did you here any words or threats at this time?

At this point Judge Williams objected on the ground that anything which occurred after the fight had no bearing on the case. The court sustained the objection but W. P. Harlow, for the prosecution insisted that witness answer his question.

Witness.—He (defendant) made the remark that it was not half what he would get the next time he wrote anything about his brother.

Q.—Did you see them both strike?

A.—I saw the cane used by one of the boys.

Judge Williams.—Is not that a piece of the cane?

Witness.—It looks similar but I am not certain that it is.

Judge Williams.—Then you saw no other instruments used other than that cane?

Witness.—I did not.

Allen T. Bird was again called. This time he was present and after being sworn took his seat.

Attorney for prosecution—Did you meet these fellows yesterday?

Bird—Yes, I should say I did. That one and that other villain over there.

Harlow—Tell us your experience with them.

Bird—I went to the post-office to get my mail and was on my way home, up the hill when I was met by the two ruffians, one of them asked me why I wrote that article about his brother. I told him because I had a right to publish facts. He then struck me with his fist and I raised my cane, when it was grabbed from my hand and I was struck over the head with it. I picked up my hat and papers and as my face was bleeding I went into Gates' saloon.

Q.—Where did you say you were struck?

Bird.—On the head. My head is quite sore all over and hurts me very much.

At this point Attorney Harlow roared at the audience for smiling and asked the court to prevent a fit of hilarity which threatened to break out. The court said he would permit of no demonstrations and the dance went on.

Q.—Did you give these people any provocation to make the assault?

A.—I only published what I have a right to publish and I will do it again.

Judge Williams.—Is this a part of the case used?

Bird.—It is similar to that.

Manager Fred Borenstein of the El Paso store was next called as a witness. He did not see the warring parties until after the fight had taken place. Attorney Harlow asked him if he had talked with various people about the fight and Mr. Borenstein said he had but could not remember who. Harlow asked witness if it was not a fact that he had helped stop the fight. Witness said the fight was over when he came upon the scene.

Officer White was the next witness for the prosecution.

Prosecution.—Did you arrest the two defendants?

Officer.—Yes, sir.

Q.—Where were you when the fight commenced?

A.—I was at the Montezuma hotel playing with a dog. I heard somebody say "look at the fight"—I saw Bird and those two boys talking.

Q.—What were they talking about?

A.—Talking about blackmailing.

Q.—Did you see defendant's brother there?

A.—Yes, sir.

Q.—What did he say?

A.—He said don't blackmail my brother anymore or I will fix you. I was talking with the boys when Mo-

Curdy came up and handed me two warrants.

Judge Williams.—Please the court, the question is "Did these boys use deadly weapons?"

I submit this to the court as a matter of law. Where and what is this damnable evidence?

Prosecuting Attorney Harlow.—Did defendants resist arrest?

Officer.—I don't know, I did not see them. They were in a room and I was outside when McCurdy went to arrest them.

Mr. Webb was then called and he testified that he saw the fight. He saw Bird attempt to strike one of the boys with the cane and saw the cane taken from him and broken over his shoulder.

Witness did not see Ullman strike Bird on the head with the cane. Witness recognized the piece of cane in evidence as looking like the one he saw in the fight the day before.

Walter McCurdy who works in Harlow's office was the next to take the stand. He saw the fight and he didn't see it. The first part of the evidence he said the fight was over when he came up; the second part of his evidence he remembered that he saw the fight. McCurdy heard Ullman tell Borenstein that if he (Borenstein) wanted any of the fight he could have it.

Here Williams objected to the evidence and was sustained.

Dr. Purdy was called as an expert witness to prove that Bird was struck with something other than a man's fist. Witness said he had examined Bird the night before and found that he had a black-eye and two lacerated wounds caused by some pointed instrument. The doctor was not sure the wounds had been made by the piece of stick in evidence.

Dr. Russell, an eye doctor, who is stopping at the Bellevue hotel, was the next expert called by the prosecution. He also found what every man not being stone blind can see that Bird had a black eye and a lacerated wound. The eye doctor thought; he was not certain, that the wound had been made by the pieces of cane introduced as a deadly weapon.

This ended the case of the prosecution and in fact the case of the defense at the same time. Every body expected the boys would be bound over. What was the use of showing their defense. All that the lawyer for the defense had to say was: "I just wish to say that if the weapon in evidence is deadly it was brought into the affray by the prosecution."

Prosecuting Attorney.—I ask that they be bound over to the grand jury in heavy bond and that I be shown their bondsmen before it be accepted.

Judge Williams.—And I ask that they be discharged by the court.

The Court.—I will hold them over to appear before the grand jury which convenes the second week in July in the sum of \$1000 each.

There was some talk of a cash bond, but when a gentleman stepped up and presented two checks for \$1,000 each the matter was soon settled and the boys were allowed to go back to their work.

It is safe to say that the case will end here. No grand jury in the world will indict a boy on a charge of assault with a deadly weapon, if that weapon only be a light walking cane, and taken from the hands of the other fellow.

BRIEF ITEMS.

Engineer T. L. Cleveland will leave in a day or two for a two month's vacation at his old home in Texas, Tom has a fine farm there and he wants to go and look after business at the other end of the line. Hope you'll have a pleasant trip Tom.

Engineer W. F. Schoonmaker left on Monday evening's train to look after some business interests in the east. He will visit Chicago and other points and will be gone about two months combining business with pleasure. During his absence Engineer W. A. Linder will pull the throttle on the passenger run from Nogales to Benson.

ROYAL BAKING POWDER
ABSOLUTELY PURE
Makes the food more delicious and wholesome
ROYAL BAKING POWDER CO., NEW YORK.

Taxpayers would do well to go before the board and see how their assessment stands and then there will be no complaint to make afterward.

The members of the Nogales Athletic Club are making arrangements to give a grand ball at their hall on the evening of the Fourth of July. An admission of \$1.00 will be charged.

Today the county board of supervisors will meet as a board of equalization as provided by law, and for the next twenty days will attend to equalizing the assessment roll of the county.

Saturday evening last Dr. Chenoweth was called by telephone to Duquesne to attend the little baby of Superintendent and Mrs. Geo. J. Troop who was quite ill there. Sunday the little patient was brought to Nogales where the family have been since, and we are glad to be able to say that the little sufferer is much better and will soon be entirely recovered.

A letter received by Nogales friends from Mrs. Short conveys the intelligence that little Willie Short, who, in company with her father and mother left Nogales a few weeks ago, very seriously ill, is improving and hopes are now entertained of her complete recovery. This will be good news to her many friends in Nogales. The family are now at Mr. Short's big cattle ranch in Mexico.

Beware of Ointments for Catarrh that contain Mercury, as mercury will surely destroy the sense of smell and completely derange the whole system when entering it through the mucous surfaces. Such articles should never be used except on prescriptions from reputable physicians, as the damage they will do is ten fold to the good you can possibly derive from them. Hall's Catarrh Cure, manufactured by F. J. Cheney & Co., Toledo, O., contains no mercury, and is taken internally, acting directly upon the blood and mucous surfaces of the system. In buying Hall's Catarrh Cure be sure you get the genuine. It is taken internally and made in Toledo, Ohio, by F. J. Cheney & Co. Testimonials free.

Address, F. J. CHENEY & Co., Toledo, Ohio.
Sold by druggists 75c.
Hall's Family Pills are the best.

Special Notice.

On account of failing sight and my constantly-increasing store business, I have engaged one of the most expert watch makers, engravers and jewelry manufacturers from the east who will be here by July 1st. and hereafter there will be no need for those who have been afraid to trust their fine work to local repairers to send same to distant cities. Watch announcement later.

F. J. PELLEGRIN,
The Watchmaker and Jeweler,
Nogales, Arizona.

HO! FOR THE SEASIDE.

When the days grow warm, how enjoyable is a plunge in mother Ocean. Our popular excursion season is now open, excursion trains leaving Nogales on Thursday of each week during the season for Santa Monica, Long Beach, San Pedro, San Buenaventura, Santa Barbara, and Avalon. Fare for the round trip \$37.40. Tickets good for ninety days. Do not miss this chance for a pleasant outing. Will be pleased to give any information desired.

P. J. ZELMENT,
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The best salve in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all skin eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction or money refunded. Price 25 cents per box. For sale by Chenoweth & Mix.

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It is the intention of the present management to largely increase the capacity of the plant and equip it with every modern appliance for the successful and cheap treatment of ores and concentrates.

Consignments and correspondence solicited. Advances will be made on ores.
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